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26 May 1972

MEMORANDUM FOR THE RECORD

SUBJECT: Executive Orders and Bills Concerning Management of
Advisory Committees

25X1A 1. A meeting was held today to discuss a proposed Executive
25X1A Order and pending legislation establishing a system to manage advisory
25X1A committees in the Federal Government. Present were [redacted]
25X1A OPPB; [redacted] IC; [redacted] IC; [redacted] IC; [redacted]
25X1A [redacted], DDP; [redacted], USIB Secretariat; [redacted] OGC;
25X1A [redacted] OLC (Chairman) and the undersigned. Discussion included
25X1A the existing E. O. 11007, the Proposed Order, H. R. 4383, S. 3529, and
25X1A S. 1637.

25X1A 2. Concerning present procedures, [redacted] noted that the USIB
25X1A Secretariat prepares a listing of USIB committees for OPPB which is
25X1A furnished to the International Division of OMB. This appears to be the
25X1A extent of reporting requirements to OMB on Agency advisory committees.
25X1A The Proposed Executive Order and bills could create problems by re-
25X1A quiring disclosure of information concerning the President's Intelligence
25X1A Advisory Board, the newly established NSC Intelligence Committee
25X1A structure, and outside advisory groups and panels. [redacted] noted
25X1A that NSA has a number of outside advisory committees which would be
25X1A affected. [redacted] will call [redacted] General Counsel, NSA and alert
25X1A them. All agreed that Sec. 15 of the Proposed Order, providing that no
25X1A provision of the order is to be inconsistent with existing statutes, could be
25X1A used to avoid the troublesome aspects, based on the National Security Act
25X1A of 1947 and the CIA Act of 1949. The affect of H. R. 4383 and S. 3529 upon
25X1A intelligence activities was considered most serious. Though the bills
25X1A recognize denial of public disclosure of classified information under the
25X1A Freedom of Information Act, the consensus was a total exemption for
25X1A intelligence activities as contained in S. 1637 should be sought. The exemp-
25X1A tion was considered most necessary because the bills (and for that matter

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the Proposed Order) involve not only a problem of protecting classified information, but also the external control and management by OMB and the Legislative Branch of intelligence advisory committee functions.

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3. It was agreed that OLC will prepare a recommended Agency position to the Proposed Executive Order and bills which will be coordinated for approval. Subsequent to the meeting, [redacted] called to advise that last year, OPPB, with approval of Col. White, submitted to OMB an Agency position to an Executive Order on advisory committees similar to the present Proposed Order. That position will be reviewed and related to the present Executive Order.

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[redacted]

Assistant Legislative Counsel

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